

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: MAR 04 2008

JONES DAY

222 EAST 41ST STREET • NEW YORK, NEW YORK 10017
TELEPHONE: (212) 326-3939 • FACSIMILE: (212) 755-7306

Direct Number: (212) 326-3795
scbennett@jonesday.com

JP169200
252122-620010

March 3, 2008

March 4, 2008

BY ELECTRONIC MAIL

Hon. Paul A. Crotty
United States District Court
Southern District of New York
United States Courthouse, Room 735
500 Pearl Street
New York, New York 10007

Re: In re Dana Corp., et al. Case No. 08 cv 1037

UPDATE TO FEBRUARY 28, 2008 REQUEST FOR IMMEDIATE RELIEF

*See order entered on
March 3, 2008. The
page limitations will not
be enlarged so ordered
Paul R. Kelly
JSPT*

Dear Judge Crotty:

In a letter dated February 28, 2008 (the "2/28/08 Letter"), Dana Corporation and its affiliated debtors (the "Appellees") requested that this court grant immediate relief in this bankruptcy appeal to permit an expansion of Appellees' Combined Appellate Brief and Dismissal Motion. Appellees submit this letter to supplement certain facts described in the 2/28/08 Letter.

Counsel for the Ad Hoc Committee of Asbestos Personal Injury Claimants agreed to our proposed modification on the condition that the page limit for their Appellate Reply Brief and Opposition to Dismissal Motion be increased from 25 to 35 pages. Appellees consented to this condition in the event your Honor increased Appellees' page limit from 30 to 40 pages, as requested in the 2/28/08 Letter.

After sending the 2/28/08 Letter, Appellees received a telephone message from Mr. Joseph D. Frank, attorney for Appellant Jose Angel Valdez, indicating his willingness to support

MEMO ENDORSED

MEMO ENDORSED

NYI-4068202v2

ATLANTA • BEIJING • BRUSSELS • CHICAGO • CLEVELAND • COLUMBUS • DALLAS • FRANKFURT • HONG KONG • HOUSTON
IRVINE • LONDON • LOS ANGELES • MADRID • MILAN • MOSCOW • MUNICH • NEW DELHI • NEW YORK • PARIS • PITTSBURGH
SAN DIEGO • SAN FRANCISCO • SHANGHAI • SILICON VALLEY • SINGAPORE • SYDNEY • TAIPEI • TOKYO • WASHINGTON

JONES DAY

Hon. Paul A. Crotty
March 3, 2008
Page 2

our proposed modification on the condition that he also receive a page limit increase, from 25 to 35 pages, for his Appellate Reply Brief and Opposition to Dismissal Motion. Appellees will consent to this condition if their page limit is extended as requested in the 2/28/08 Letter.

Respectfully,



Steven C. Bennett

cc: By Electronic Mail
Douglas T. Tabachnik, Esq.
Law Offices of Douglas T. Tabachnik, P.C.
Woodhull House
63 West Main Street
Suite C
Freehold, New Jersey 07728
Counsel for the Ad Hoc Committee of Asbestos Personal Injury Claimants
dtabachnik@dttlaw.com

Alan Eric Gamza, Esq.
Robert D. Lillenstein, Esq.
Moses & Singer LLP
The Chrysler Building
405 Lexington Avenue
New York, NY 10174-1299
(212)554-7400 7878
Fax: (212) 554-7700
Email: agamza@mosessinger.com
Email: rllienstein@mosessinger.com

Joseph D. Frank, Esq.
Frank/Gecker LLP
325 N. LaSalle Street, Suite 625
Chicago, Illinois 60610
(312) 276-1402
Fax: (312) 276-0035
jfrank@fgllp.com

JONES DAY

Hon. Paul A. Crotty

March 3, 2008

Page 3

Jo E. Hartwick, Esq.
Stutzman, Bromberg, Esserman & Plifka
A Professional Corporation
2323 Bryan Street, Suite 2200
Dallas, Texas 75201
Phone: 214-969-4900
hartwick@sbep-law.com